

them. I think we would probably get to the same place, but rather than get involved in declaring or trying to say something is not an office of profit when as a matter of fact it is, I think we ought to recognize that it is; but provide for the limited exceptions where you might be able to hold two at the same time.

THE CHAIRMAN: Very well.

Is there any further discussion of the amendment?

Delegate Burdette.

DELEGATE BURDETTE: Mr. Chairman, I rise for a point of clarification. Is it the intent of the mover, as I would understand this arrangement, to place the principle of separation of powers, which has now been removed by the elimination of section 3 into section 5? Is it the intention to place it entirely within the hands of the General Assembly?

I am most sympathetic with the problem that Delegate Sickles has, but there are other problems. I do not see why the General Assembly —

THE CHAIRMAN: Let us get the answer to your question first.

DELEGATE BURDETTE: I would like to get into such a problem, such problem as would permit the president of the Senate to be secretary of state.

THE CHAIRMAN: Delegate Sickles, do you understand the question?

DELEGATE SICKLES: I understand the question. It is certainly not my intention to try to prejudge what specific cases the legislature may apply this to. I am persuaded, however, that they would apply it only in those cases where it would serve a useful purpose. I am sure you are not going to get the president of the Senate acting as secretary of state.

THE CHAIRMAN: I take it the question directed to you was, was it the intent of the amendment to leave the decision of this question, that is, whether one person could hold more than one office of profit, to the determination of the General Assembly?

The answer is —

DELEGATE SICKLES: — Yes.

THE CHAIRMAN: Delegate Burdette, do you have a further question?

DELEGATE BURDETTE: I would say, Mr. President, I think this is a very dangerous departure from the principle of

separation of powers in order to face a particular and specific problem; we are legislating here in a fashion that may be most undesirable.

THE CHAIRMAN: Does any other delegate desire to speak? Is there any further discussion?

*(There was no response.)*

Are you ready for the question?

*(Call for the question.)*

The Clerk will ring the quorum bell.

The question arises on the adoption of Amendment No. 6, as modified to Committee Recommendation R&P-2.

A vote Aye is a vote in favor of Amendment No. 6. A vote No is a vote against.

Cast your votes.

Has every delegate voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 75 votes in the affirmative and 40 in the negative, the motion carries. The amendment is adopted.

I take it, Delegate Sickles, that you will not now offer amendment AF?

Delegate Sickles?

DELEGATE SICKLES: That is correct, Mr. Chairman.

THE CHAIRMAN: Thank you.

The Chair has no other amendments to section 5. Are there any others?

If not, we will proceed to a consideration of amendments after section 5.

Delegate Vecera, do you desire to offer your amendment?

DELEGATE VECERA: Yes, Mr. Chairman.

THE CHAIRMAN: The pages will distribute amendment A. This will be Amendment No. 7. The Clerk will read the amendment.

READING CLERK: Amendment No. 7 to Committee Recommendation R&P-2, by Delegates Vecera and Ritter: On page 2 following section 5 Limitation of Holding Office, add the following new section:

“Section . Disqualification for Office.